

### IN THE CLAIMS

Please cancel claims 13-17, 20-32 and 37-38 without prejudice, amend claims 8, 9, 18 and 36, and add new claims 39-43, as follows:

1.-6. (Canceled)

7. (Previously Presented) A pharmaceutical composition comprising a herpes simplex virus (HSV) polypeptide, wherein the HSV polypeptide is up to 15 amino acids in length and comprises amino acids 475-483 of UL26 (SEQ ID NO: 9), and a pharmaceutically acceptable carrier.

8. (Currently Amended) A pharmaceutical composition ~~comprising~~ consisting of amino acids 404-627 of UL26 (SEQ ID NO: 9) ~~or an immunogenic fragment thereof, wherein the immunogenic fragment comprises amino acids 475-482 of UL26 (SEQ ID NO: 9),~~ and a pharmaceutically acceptable carrier.

9. (Currently Amended) The pharmaceutical composition of claim 7, wherein the polypeptide consists essentially of amino acids 475-483 of UL26 (SEQ ID NO: 9).

10. (Original) The pharmaceutical composition of claim 7, wherein the polypeptide is a fusion protein.

11. (Original) The pharmaceutical composition of claim 10, wherein the fusion protein is soluble.

12. (Original) The pharmaceutical composition of claim 7, further comprising an adjuvant.

13.-17. (Canceled)

18. (Withdrawn) A pharmaceutical composition comprising ~~the~~ a polynucleotide of claim 13 that encodes a polypeptide consisting of: amino acids 404-627 of UL26 (SEQ ID NO: 9); or up to 15 amino acids and comprising amino acids 475-483 of UL26 (SEQ ID NO: 9); and a pharmaceutically acceptable carrier.

19. (Withdrawn) The pharmaceutical composition of claim 18, further comprising an adjuvant.

20.-32. (Canceled)

33. (Original) A method of inducing an immune response to an HSV infection in a subject comprising administering the composition of claim 7 to the subject.

34. (Withdrawn) A method of inducing an immune response to an HSV infection in a subject comprising administering the composition of claim 18 to the subject.

35. (Previously Presented) A method of treating an HSV infection in a subject comprising administering the composition of claim 7 to the subject.

36. (Withdrawn) A method of treating ~~or preventing~~ an HSV infection in a subject comprising administering the composition of claim 18 to the subject.

37.-38. (Canceled)

39. (New) A method of inducing an immune response to an HSV infection in a subject comprising administering the composition of claim 8 to the subject.

40. (New) A method of treating an HSV infection in a subject comprising administering the composition of claim 8 to the subject.

41. (New) The pharmaceutical composition of claim 8, wherein the polypeptide is a fusion protein.

42. (New) The pharmaceutical composition of claim 41, wherein the fusion protein is soluble.

43. (New) The pharmaceutical composition of claim 8, further comprising an adjuvant.